

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/915,494	07/25/2001	Robert Thomas Hudak	AC-00127.P.1

24232  
DAVID R PRESTON & ASSOCIATES  
12625 HIGH BLUFF DRIVE  
SUITE 205  
SAN DIEGO, CA 92130

CONFIRMATION NO. 6752

## FORMALITIES LETTER



\*OC000000006507997\*

Date Mailed: 09/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/05/2001 MBELETE1 00000042 09915494

01 FC:205

65.00 DP

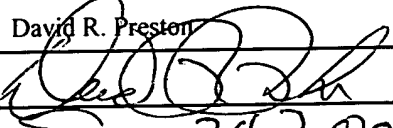


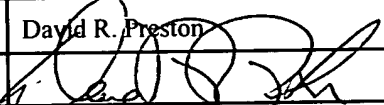
AA

Sector 3

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number:	09/915,494
		Filing Date:	July 25, 2001
		First Named Inventor:	Hudak
		Group Art Unit:	To be Determined
		Examiner:	To Be Determined
Total Pages in This Submission:	6	Attorney Docket Number:	AC-00127.P.1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal, Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / Declarations(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Requests	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Additional Inclosures, identified below:  Notice to File Missing Parts of Non-Provisional Application  Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts / Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53		

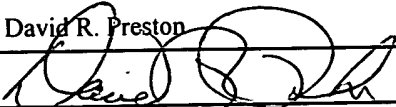
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	David R. Preston
Signature	
Date	SEP. 24 2001

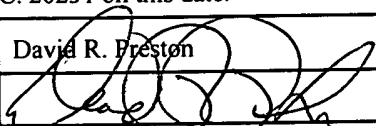
CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.			Date: 9/24/01
Typed or printed name:	David R. Preston		
Signature		Date:	9/24/01

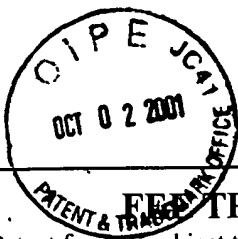


<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number:	09/915,494
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		First Named Inventor:	Hudak
		Group Art Unit:	To be Determined
		Examiner:	To Be Determined
Total Pages in This Submission:	6	Attorney Docket Number:	AC-00127.P.1

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<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal, Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / Declarations(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Requests	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Additional Inclosures, identified below:  Notice to File Missing Parts of Non-Provisional Application  Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts / Incomplete Application	Remarks:	
<input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	David R. Preston
Signature	
Date	Sep 24, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date.			Date: 9/24/01
Typed or printed name:	David R. Preston		
Signature		Date:	9/24/01



FEE TRANSMITTAL		Complete if Known	
		Application Number:	09/915,494
Filing Date:	July 25, 2001		
First Named Inventor:	Hudak		
Group / Art Unit:	To be determined		
Total Amount of Payment	\$ 105 <sup>00</sup>	Docket Number:	AC-00127.P.1

Patent fees are subject to annual revision on October 1. These are the fees effective October 1, 1997. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

METHOD OF PAYMENT
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <input type="checkbox"/></p> <p>Deposit Account Name: <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance.</p>
<p>2. <input checked="" type="checkbox"/> Payment Enclosed</p> <p><input checked="" type="checkbox"/> Check Number 955</p> <p><input type="checkbox"/> Money Order</p> <p><input type="checkbox"/> Other</p>

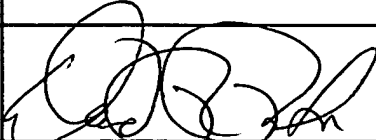
FEE CALCULATION						
1. BASIC FILING FEE						
	Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
	101		201		Utility Filing Fee	\$
	106		206		Design Filing Fee	\$
	107		207		Plant Filing Fee	\$
	108		208		Reissue Filing Fee	\$
	114		214		Provisional Filing Fee	\$
SUBTOTAL (1)						\$ 0.00

2. EXTRA CLAIM FEES								
				Extra Claims		Fee From Below		Fee Paid
Total Claims	[ ]	-20 **	Equals	[ ]	Times	[ ]	Equals	\$ 0.00
Independent Claims	[ ]	-3 **	Equals	[ ]	Times	[ ]	Equals	\$ 0.00
<b>Subtotal (2)</b>								\$ 0.00
** or number previously paid, if greater, For Reissues, see below								
	<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description</b>			
	<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>				
	103		203		Claims in excess of 20			
	102		202		Independent claims in excess of 3			
	104		204		Multiple dependent claim, if not paid			
	109		209		** Reissue independent claims over original patent			
	110		210		** Reissue claims in excess of 20 and over original patent			

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105		205		Surcharge - late filing fee or oath	\$
127		227		Surcharge - late provisional filing fee or cover sheet	\$
139		139		Non-English specification	\$
147		147		For filing a request for reexamination	\$
112		112		Requesting publication of SIR prior to Examiner action	\$
113		113		Requesting publication of SIR after Examiner action	\$
115		215		Extension for reply within first month	\$
116		216		Extension for reply within second month	\$
117		217		Extension for reply within third month	\$
118		218		Extension for reply within fourth month	\$
128		228		Extension for reply within fifth month	\$
119		219		Notice of Appeal	\$
120		220		Filing a brief in support of an appeal	\$
121		221		Request for oral hearing	\$
138		138		Petition to institute a public use proceeding	\$
140		240		Petition or revive - unavoidable	\$
141		241		Petition or revive - unintentional	\$
142		242		Utility issue fee (or reissue)	\$
143		243		Design issue fee	\$
144		244		Plant issue fee	\$
122		122		Petitions to the Commissioner	\$
123		123		Petitions related to provisional applications	\$
126		126		Submission of Information Disclosure Statement	\$
581		581	40	Recording each patent assignment per property	\$ 40.00
146		246		Filing a submission after final rejection (37 C.F.R. 1.129(a))	\$
149		249		For each additional invention to be examined (37 CFR 1.129(b))	\$
Other fee (specify): Late Charge for filing of oath or declaration					\$ 65.00
Subtotal (3)					\$ 105.00



4. SUMMATION OF FEES	
SUBTOTAL (1)	\$ 0.00
SUBTOTAL (2)	\$ 0.00
SUBTOTAL (3)	\$ 0.00
TOTAL FEES	\$ 105.00

SUBMITTED BY			Complete (If Applicable)	
Typed or Printed Name	David R. Preston		Registration Number:	38,710
Signature		Date: 7/24/01	Deposit Account Number User ID Number	501321